

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10

11 TOMAS HERRERA DURAN,  
12 Petitioner,

13 v.

14 MARTIN BITER, Warden,  
15 Respondent.  
16


Case No. CV 11-5450-JST (JEM)

ORDER ACCEPTING FINDINGS  
AND RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE JUDGE

17 Pursuant to 28 U.S.C. Section 636, the Court has reviewed the pleadings, the  
18 records on file, and the Report and Recommendation of the United States Magistrate  
19 Judge. Petitioner has filed Objections, and the Court has engaged in a de novo review of  
20 those portions of the Report and Recommendation to which Petitioner has objected. The  
21 Court accepts the findings and recommendations of the Magistrate Judge.  
22

23 IT IS HEREBY ORDERED that: (1) the Petition for Writ of Habeas Corpus is denied;  
24 and (2) Judgment shall be entered dismissing the action with prejudice.

25 DATED: November 5, 2012  
26

27   
28 JOSEPHINE STATON TUCKER  
UNITED STATES DISTRICT JUDGE